



06/29/99

SECTOR/1#
#3

PATENT
USSN 09/171,732
ATTY DOCKET 98123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Michael Strobel et al.)	Group Art:
)	3733
For: Orthopedic Splint)	
)	Examiner:
)	Unknown
Serial No.: 09/171,732)	
Filed: October 8, 1998)	

**LETTER IN RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION UNDER 37 CFR 1.53(d)**

Assistant Commissioner for Patents
Attn.: Box Missing Parts
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application (copy enclosed) mailed on **April 29, 1999**, applicant is hereby filing the enclosed documents and submitting the enclosed checks to complete the above-identified application:

- (1) A Declaration signed by the inventors.
- (2) A Small Entity Declaration form signed by the inventors Michael Strobel, Jürgen Eichhorn and Karl Hausladen.
- (3) A Small Entity for Small Business Declaration signed by Jochen Piotrowsky, an officer of Medi Bayreuth.
- (4) A Certified Copy of German Patent Application No. 297 02 186.9.
- (5) An executed Assignment from the inventors to Medi Bayreuth Weihermuller und Voigtmann GmbH & Co. KG, a check for \$40.00 and a Patent Assignment Recordal Form.
- (6) An application transmittal form.
- (7) A fee calculation sheet.
- (8) A check in the amount of \$445.00 for the basic filing fee of \$380.00 and the government surcharge of \$65.00.

The PTO did not receive the following
listed item(s) a check 445.00

(9) A check in the amount of \$40.00 for payment of the assignment recordal fee.

(10) The Commissioner is hereby authorized to credit any overpayment or charge any additional fees required under 37 CFR 1.17, 37 CFR 1.21(k) or 37 CFR 1.18 to our Deposit Account No. 22-0355.

Respectfully submitted,


Thomas R. Vigil, Reg. No. 24,542

Date: 6/28/20

VIGIL & ASSOCIATES
836 S. Northwest Highway
Barrington, Illinois 60010
(847) 382-6500
(847) 382-6895 (Fax)

1-004 U. S. PRO
09/17/72
06/29/79

New patent application:		Applicant (s) :
<u> </u>	Regular	Michael Strobel et al.
<u> x </u>	Convention	
<u> </u>	File Wrapper Continuation	
<u> </u>	Divisional/Continuation	Serial No.
<u> </u>	Continuation-in-part	Title:
<u> </u>	Reissue Application	ORTHOPEDIC SPLINT
<u> </u>	PCT National Phase	
<u> </u>	PCT Application	
<u> </u>	Continuation of PCT No. _____	

"Express Mail" Mailing Label No. EM 311373341 US
Date of Deposit: June 29, 1999

(Typed or printed name of person mailing fee or paper)

The documents enclosed with and being filed with this paper are:

 x Transmittal letter

Patent application:

 pages of specification

 pages of claims containing claims

 Abstract of the Disclosure

 sheets of drawings containing FIG's.

 x executed Declaration and Power of Attorney

~~from parent application~~

 specification and claims in foreign language

 PCT Article 19 Amendment

 translation of PCT article 19 Amendment

 x Assignment & Patent Assignment Recordation Cover Sheet

 x Small Entity Declaration (s) (two)

 translation of amended specification and/or claims

 x Check (s) in the amounts of: \$40.00 and \$445.00

 Petition for Extension of Time in prior Application

 Serial No. for month (s)

 Preliminary Amendment Before Action

 Disclosure Statement including USPTO Form 1449 and

 copies of reference (s)

 Letter re application being filed with no filing fee

 and no executed Declaration

 x Letter In Response To Notice To File Missing Parts Of Application

 Under 37 CFR 1.53(d)

 x Transmittal of Priority Document and certified copy of German Patent

 Application No. 297 02 186.9

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>FEE TRANSMITTAL</h1> <p>Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement; otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</p>		Complete if Known	
		Application Number	09/171,732
		Filing Date	October 8, 1998
		First Named Inventor	Michael Strobel et al.
		Examiner Name	Unknown
		Group / Art Unit	3733
TOTAL AMOUNT OF PAYMENT (\$)		445.00	
		Attorney Docket No. 98123	

METHOD OF PAYMENT (check one) 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 22-0355 Deposit Account Name: Vigil & Associates <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>65.00</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>950</td> <td>217</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,510</td> <td>218</td> <td>755</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>2,060</td> <td>228</td> <td>1,030</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,320</td> <td>241</td> <td>660</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,320</td> <td>242</td> <td>660</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>450</td> <td>243</td> <td>225</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>570</td> <td>244</td> <td>335</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>790</td> <td>246</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>790</td> <td>249</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td colspan="5">Other fee (specify) _____</td> <td></td> </tr> <tr> <td colspan="5">Other fee (specify) _____</td> <td></td> </tr> <tr> <td colspan="5">Reduced by Basic Filing Fee Paid</td> <td></td> </tr> <tr> <td colspan="5">SUBTOTAL (3) (\$)</td> <td>65.00</td> </tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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SUBMITTED BY Typed or Printed Name: Thomas R. Vigil Signature: <i>Thomas R. Vigil</i> Date: 6/28/99		Complete (if applicable) Reg. Number: 24,542 Deposit Account User ID:	
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.